

# **HISTORIC PRESERVATION COMMISSION**

## **HEARING MINUTES**

**JUNE 23, 2011**

### **Commissioners**

Scott Winnette, Chairman (not present)

Robert Jones, Vice Chairman

Timothy Wesolek (not present)

Gary Baker

Shawn Burns (not present)

Kate McConnell

Stephen Parnes

Brian Dylus, Alternate

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### **Aldermanic Representative**

Michael O'Connor (not present)

### **Staff**

Lisa Mroszczyk, Historic Preservation Planner

Scott Waxter, Assistant City Attorney

Shannon Albaugh, HPC Administrative Assistant

## **•I. Call to Order**

Mr. Jones called the meeting to order at 6:00 P.M. He stated that the technical qualifications of the Commission and the staff are on file with the City of Frederick and are made a part of each and every case before the Commission. He also noted that the Frederick City Historic Preservation Commission uses the Guidelines adopted by the Mayor and Board of Aldermen and the Secretary of the Interior's Standards for Rehabilitation published by the U. S. Department of the Interior, National Park Service, and these Guidelines are made a part of each and every case.

All cases were duly advertised in the Frederick News Post in accordance with Section 301 of the Land Management Code.

## **Announcements**

Kate McConnell announced that she would need to recuse herself from case number HPC11-307 located at 119 E. 5<sup>th</sup> Street because that is her direct and adjacent neighbor.

## **II. Approval of Minutes**

### **1. June 9, 2011 Hearing/Workshop Minutes**

## **Discussion**

Ms. McConnell stated that she thought the amendment to say that the application was approved because removal will damage the historic character of the building was a replacement to the reason that he found there was an underlying moisture problem on the foundation. Ms. Mroszczyk stated that there were a few things mentioned and one was the historic character of the building, the moisture problem and then the amendment because removal would cause damage to the historic character of the building and one of them has been taken out. She added that staff could go back and review that again or the Commission could amend the minutes. The Commission agreed to have staff listen to the tape and clarify exactly what the motion was and

approve the minutes at the next scheduled hearing.

- **II. HPC Business**

**There was no HPC Business.**

**IV. Consent Items**

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**a. Cases to be Approved**

**b. Cases to be Continued**

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**2. HPC11-440**

**230 W. Patrick Street**

**Way Station, Inc.**

Applicant requests continuance to the August 25<sup>th</sup> Hearing.  
**Anabaldi**

**Vince**

*Lisa Mroszczyk*

**Motion: Kate McConnell moved to continue application HPC10-440 at 230 W. Patrick Street to the August 25, 2011 hearing.**

**Second: Gary Baker**

**Vote: 5 - 0**

•V.

## Cases to be Heard

**3. HPC11-240**

**59 S. Carroll Street**

**Harold H. Hauver**

Reconstruct fire-damaged building.  
**Benjamin, agent**

**J. Chris**

*Lisa Mroszczyk*

## Staff Presentation

Ms. Mroszczyk entered the entire staff report into the record and stated that this application concerns the reconstruction and repair of a contributing resource that was extensively damaged by fire as well as the construction of an elevator tower addition. The following work is proposed:

## General

- 1. Reconstruction of the second story on the easternmost portion of the building. The new brick second story will have a front gable and a monitor. The eave height will be raised five feet on either side but the ridge height will remain the same as it did historically. Windows are proposed to be paired double steel casements.
- 2. Installation of a new standing seam metal roof throughout the existing building.
- 3. Installation new double hung windows throughout the existing building, including removal of concrete block infill on the north side.
- 4. Installation of dormers and a monitor on the reconstructed roof of the three story section.

## East wall

- 5. Installation a new beaded wood door.

## **South wall**

- 6. Replacement in-kind of existing paneled doors in the two story section.
- 7. Installation of beaded wood doors in the door openings of the three story section.

## **North wall**

- 8. Construction of a three story elevator tower addition with steel storefront framing, glass, brick veneer and standing seam metal roof.

## **Applicant Presentation**

Chris Benjamin, the architect for the owner of 59 S. Carroll Street, stated that they would not object to using wood siding on the dormers. He added that he was disappointed with the finding on the panel doors because they are in rough shape and it will be a challenge to try and make that into a single door since it is such a heavy door. He went on to say that they believe there may have been dormers on the third floor on the west side of the building although there is no documentation for it. He thought there simply were no photographs from that vantage point.

## **Commission Questioning/Discussion**

Mr. Dylus asked if the elevator would meet the height of the existing roof or go above the roof. Mr. Benjamin answered that the elevator tower roof would be just below the building roof.

Mr. Dylus asked if there would be no windows on the west elevation if the dormers were not installed. Mr. Benjamin answered yes.

Mr. Baker thought the elevator tower does not meet the Guidelines and is not a compatible feature as it was shown. He added that it needs some embellishment to bring it up to what he thought would be a compatible interpretation of the Guidelines. Mr. Baker stated that they have a

historic structure and matching it like they did is not compatible with the Guidelines and it affects every thing because this is visible from downtown and Carroll Creek. Mr. Benjamin stated that in the previous workshops he did not feel this resistance to the drawings. Mr. Benjamin added that they like what they have and he thought they were fitting in the way that they tried to stay within the existing buildings roofline.

Mr. Baker stated that he saw some inconsistencies in the drawings and suggested talking about the application in another workshop.

Ms. McConnell asked what type of wood siding would be used on the dormers. Mr. Benjamin answered that it would be a German lap siding. Ms. McConnell asked if the German lap siding would be used on the monitors. Mr. Benjamin answered that a corrugated metal siding would be used on all vertical faces. Ms. McConnell asked if they had researched the use of a flat metal. Mr. Benjamin answered that they would prefer to not use a flat metal because it tends to dent and it ends up looking very poor in a short amount of time. Mr. Dylus asked if the denting could be addressed if a thicker gauge of steel was used. Mr. Benjamin answered that if they would go with an 18 or 20 gauge metal panel the denting would be eliminated but you would normally find a 24 or 26 gauge.

Ms. McConnell asked what the material on the foundation of the elevator shaft would be. Mr. Benjamin answered that it would be brick all the way down. Ms. McConnell asked if they would be willing to some sort of differentiation at the base to make it look like there is a foundation and it could be as simply as parging. Mr. Benjamin stated that he would not object to that.

Ms. McConnell asked what the treatment would be on the eaves. Mr. Benjamin stated that they would be extended rafter tails with the plywood exposed and there would be a fascia board at the end of the rafter tails.

Mr. Jones asked if they were going to go with the traditional rolled ridge on the standing seam metal roof. Mr. Benjamin answered no that they were planning on going with a pre-finished metal roofing with a product by either Carolina Metal Services or a similar product. Mr. Baker asked if they have considered going with a galvanized roof that would have no finish on it. Mr. Benjamin stated that they have but unfortunately galvanized roofs need to be painted every couple years.

Mr. Dylus stated that he would like to workshop the case again so the Commission and the applicant can go through the plans and get all these things down on paper. He added that there are some important things that need to be clarified such as showing them where the HVAC units will go and revise the elevator tower and minor items like the gutters that were talked about at the last meeting. Ms. McConnell agreed. She added that she would like to see the revisions for the roof possibilities and see different variations on the elevator shaft. Mr. Parnes stated that there were enough questions that have come up and looking at Ms. Mroszczyk's recommendations much of the discussion deviates from even her recommendations so to simply submit plans might raise even more questions so he wanted to have the chance to workshop the case as well. Mr. Benjamin agreed to continue the case to the July 14, 2011 workshop.

**Public Comment - There was no public comment.**

### **Staff Recommendation**

Staff recommends approval of the application according to drawings A-301, 302 and 303 stamped "Received Jun 14 2011" and A-201 and A-202 (first and second floor plans not to include window infill) stamped "Received May 18 2011" with the following:

- Replacement windows in the historic structure to be Kolbe & Kolbe Heritage Series Double Hung Wood Windows with "Performance Divided Lite" with a 5/8" or 7/8" muntins with a dark color, non-metallic spacer bar or comparable to be approved by staff.
- Windows in the second story addition to be A&S Window Associates, Inc., Series 200 Profile double casement steel windows or comparable to be approved by staff.
- All new windows and doors must fit within the existing openings.
- The final brick selection be submitted for staff approval.
- Dormers on the three story section to have flat seam metal siding or wood siding in place of the corrugated metal.
- The ridge of the standing seam metal roof be similar to a traditional rolled ridge and not a cap and a detail be submitted for staff approval. If this cannot be achieved with the Coastal Metal Service SS 24/26 product, an alternative product must be submitted for staff approval.

Staff recommends denial of the west facing dormers because they are not substantiated by documentary of physical evidence and are thus inconsistent with the *Frederick Town Historic District Design Guidelines*.

**Motion:** Kate McConnell moved to continue case HPC11-240 at 59 S. Carroll Street to a workshop on July 14, 2011 and a hearing on July 28, 2011.

**Second:** Stephen Parnes

**Vote:** 5 - 0

**4. HPC11-307**

**119 E. 5<sup>th</sup> Street**

**Erma Lee**

Install vinyl windows

*Lisa Mroszczyk*

#### **Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that the applicant is seeking post-construction approval for the installation of vinyl windows throughout a contributing early 20<sup>th</sup> century Gothic Revival-influenced duplex.

#### **Applicant Presentation**

Erma Lee, owner of 119 E. 5<sup>th</sup> Street, stated that she had 5 windows downstairs replaced by Therma-Guard and moisture got in between the windows so she decided to replace all her windows since she was going to have the 5 windows downstairs replaced. She thought that as long as they replaced it with four or six panes it would be okay but the contractor only provided windows with two panes so she told him that she was in the Historic District and he said he thought it would be alright so he went ahead and replaced all the windows.

#### **Commission Questioning/Discussion**

Mr. Parnes asked if there were wood windows on the front façade of the house. Ms. Lee answered yes. Mr. Parnes asked when they were removed. Ms. Lee answered that it was around November of 2008.



Mr. Jones stated that he was trying to figure out where the miscommunication was in reference to abiding by the Guidelines because the Guidelines state regarding window replacement "Replacement windows duplicate the material, design, dimensions, configurations and hardware of the windows to be replaced. For rear and side elevations leniency regarding one or more of these characteristics might be allowed for replacing windows."

Mr. Baker stated that according to the documentation given to the Commission by Ms. Lee the lower windows were not historic windows so they should not concern themselves with those particular windows and focus on the two upper windows that were the 2/2 as an approach to try to resolve this equitably.

Mr. Baker suggested continuing the case to take another look at the application but he thought the end result would be the same. He added that the end result is that the Commission is here to protect the historic fabric of the City's Historic District regardless to who owns the building, how it happened or whatever happened to it. He went on to say that the Commission tries to help the applicant's out as best they can because they understand that situations like this come up.

Mr. Jones asked the applicant if they would be willing to continue the case until the next scheduled hearing to give staff and the Commission a chance to make another site visit to get a closer look at the windows. Ms. Lee answered that she appreciated that and the continuance would be fine with her.

### **Public Comment**

Gary Lee, the son of Erma Lee, stated that as far as he knew she contacted the contractor and told him that she was in the Historic District and he said he would take care of that.

### **Staff Recommendation**

Staff recommends denial of the application because the proposed replacement windows do not duplicate the material, design, dimensions and configuration of the original windows and because they detract from the character of this contributing structure.

As an alternative, staff would recommend an approval to replace the windows with the modification that the windows throughout the original brick structure be replaced with all wood (non-clad) 2/2 double hung windows to include simulated divided lights with a dark, non-metallic spacer bar and 1/1 wood windows on the modern frame addition with the dimensions of all new windows to correspond to the size of the original opening.

**Motion:**        **Brian Dylus moved to continue the case to the July 14, 2011 hearing for further discussion.**

**Second:**       **Gary Baker**

**Vote:**           **4 - 0**

**5. HPC11-313**

**44 S. Bentz Street**

**Janet Krones**

Remove paint with Peel Away 7

*Lisa Mroszczyk*

### **Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that this application concerns the removal of paint from the front of a 1920s contributing row house with a chemical paint remover, Peel Away 7.

### **Applicant Presentation**

Janet Krones, the owner of 44 S. Bentz Street, concurred with the staff report.

### **Commission Questioning/Discussion**

Mr. Dylus asked the applicant if they were planning on leaving the building brick once the paint was removed. Ms. Krones answered yes.

Mr. Baker recommended removing the cables and cable box on the front façade to provide a clean slate for the paint removal.

**Public Comment - There was no public comment.**

### **Staff Recommendation**

Since this building is constructed of hard-fired 20<sup>th</sup> century brick, was likely not painted originally and because the paint is not necessary to maintain the material and architectural integrity of the building, staff recommends approval of the application to remove the paint from the front wall using Peel Away 7 with the condition that the applicant conducts a test patch to be approved by staff.

**Motion:** Kate McConnell moved to approve the application to remove the paint from the front wall using Peel Away 7 with the condition that the applicant conducts a test patch to be approved by staff.

**Second:** Gary Baker

**Vote:** 5 - 0

**6. HPC11-322**

**102 E. 4<sup>th</sup> Street**

**Justin Elyard**

Reconstruct front stoop

*Lisa Mroszczyk*

### **Staff Presentation**

Ms. Mroszczyk entered the entire staff report into the record and stated that this application concerns the replacement of a wooden stoop on the front a c.1900 contributing duplex with a

new wooden stoop. The new stoop will be similar to orientation and form to the adjacent stoop at #100.

### **Applicant Presentation**

Justin Elyard, the owner of 102 E. 4<sup>th</sup> Street, stated that he had an e-mail conversation with Emily Paulus about a year ago and she said that it seemed to her that his stairs originally ran parallel with the house like his neighbor's and she had included the 1976 slide as part of the e-mail. He added that he does not know what the original stairs looked like but he referred to the Guidelines and page 82 states "If it is known that a porch or stoop existing, but documentary or physical evidence is not available, the replacement design should resemble historic porches that exist in the neighborhood and that are in keeping with the style and period of the building." So he had no greater reference than his neighbor's to see what would be historic in his neighborhood and he would like to be approved as the application stated reorienting the stairs to match the neighbor's stoop. He had no concerns with the other staff recommendations.

### **Commission Questioning/Discussion**

Mr. Baker asked where the concrete was in the front of the house that was to be removed and replaced. Mr. Elyard answered that the sidewalk where the water meter is placed is cracked so he asked the contractor if he could repair the sidewalk at the same time and the contractor said he would remove a piece of the sidewalk while digging the new footer for the front stoop.

Ms. McConnell asked if he was going to use pressure-treated lattice or a cedar. Mr. Elyard answered that he would use whatever the Guidelines say is appropriate but he preference would be to use pressure-treated wood that would be painted.

Ms. McConnell stated that in her opinion it would more closely meet the Guidelines since they say "the design must be consistent with the streetscape in terms of materials, size, scale and final details" and the turned posts are a detail on the porch that really makes the porch. Those posts are really big and to have them turned would add to the new porch.

**Public Comment - There was no public comment.**

## **Staff Recommendation**

Staff recommends approval of the application to replace the wooden stoop with the following conditions:

- The orientation of the new stoop match the existing because documentary evidence shows that this was the original configuration;
- The profile and dimensions of the top and bottom rails match those at the adjacent stoop as closely as possible;
- Balusters be 1x1 and inset;
- Treads have a bullnose;
- The 6x6 posts be chamfered to give the appearance of a base and top;
- That wood ball post caps be added to the posts;
- That the posts with caps not extend any higher than the adjacent stoop;
- The lattice skirt be framed with wood;
- All visible wood not be pressure-treated;
- All wood be painted or stained with a solid color opaque stain; and
- A revised drawing be submitted for staff approval prior to applying for permits.

**Motion:** Brian Dylus moved to approve the applicant's submission to replace and reorient the front stairs of the property with the condition that the new stair and landing be similar in design concept and details to the stairs located at 100 E. 4<sup>th</sup> Street and that those details be subject to a drawing submitted to staff for approval and that all the documents comply with the Guidelines of the Historic District prior to starting with the work.

**Second:** Stephen Parnes

**Vote:** 5 - 0

The meeting was adjourned at approximately 8:30 PM.

Respectfully Submitted,

Shannon Albaugh, Administrative Assistant